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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,141	04/16/2001	Frank Dombroski	48269.008	5796

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EXAMINER

MOONEYHAM, JANICE A

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 02/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/836,141

Applicant(s)

DOMBROSKI ET AL.

Examiner

Janice A. Mooneyham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) 27-44 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to the applicant's communication filed on November 21, 2005, wherein:

Claims 1-44 are currently pending in this application;

Claims 1-2 have been amended;

Claims 27-44 are withdrawn from consideration (see below).

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 21, 2005 has been entered.

Election/Restrictions

3. Newly submitted claim 27-44 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claims 27-44 are drawn to different inventions and scopes of the invention as claimed in 1-26, and, claims 27-44 had been presented with the original set of claims, they would have been restricted out.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, **claims 27-44 are withdrawn from**

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consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

NOTE: It is the Examiners position that claims 31-44 contain new matter and would be rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. For example, the specification does not disclose what an organization's travel policy is. The specification does not disclose what a policy-conformant travel proposal is or what policy-conformant-travel proposal data is.

Specification

4. The abstract of the disclosure is objected to because it is too long. An abstract should be single paragraph of 150 words or less. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 5 recites the limitation "the travel distribution system." There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (US 2002/0156661) (hereinafter referred to as Jones) in view of Tagawa (5,732,398) (hereinafter referred to as Tagawa)

Referring to Claims 1-26:

Jones discloses a method and system for automatically planning, booking travel arrangements, comprising a data storage device (Figure 1 (112) and (140)), a booking engine (travel computer 120), an output device (Figure 1 (100, 106) and a processor programmed to perform the method (Figure 1 (50)), comprising:

maintaining in computer storage device a database of user profile information including in information regarding air travel booking preferences, car booking preferences, hotel booking preferences and personal preference air travel ratings (Figure 1 (112); [0039] *a user's profile may be maintained in the memory 112 or an external storage system accessible by the travel computer 120 or the user computer 100 which includes travel preferences*);

using the user profile information and the travel request data to automatically formulate a travel request in response to the travel request input, the travel request including airline, hotel and rental car reservation information ([0039] *user inputs travel*

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parameters to the presentation program 108 on the user computer 100, which travel parameters are sent to the travel system 114 on the travel computer 120 for processing a user's profile may be maintained in the memory 112 or an external storage system accessible by the travel computer 120 or the user computer 100 which includes travel preferences, such as preferred seats, airports, airlines, airplanes, modes of ground transportation such as rental cars, price, range, or a seat class. After inputting the various parameters, the system generates and itinerary);

automatically creating a travel query file by applying business rules to the travel request, including (Fig. 2A (210));

automatically executing an air booking process based on at least two categories of user preference information selected from the group of lowest price, arrival/departure time, airline, non-stop, duration, alternate airports and full fare automobile upgrades (Fig. 2A (200), page 2 [0039] thru page 3 [0047]),

automatically executing a car booking process for selecting (Figs.2A (250) ground transportation, 5A), and

automatically executing a hotel booking process (Figs. 2A (230) invoke hotel decision support system, 4A),

submitting the query file to a booking engine for creating a travel request query (Figs. 2A (260), 3A);

submitting the travel request query to a travel distribution system for retrieving air, car, and hotel availability information (pages 2-3 [0036-0047];

receiving from the travel distribution system the air, car and hotel availability information and creating a suggested travel itinerary (Figs. 2A-5C, Fig. 7 (Figure 7);

allowing manual changes to be made to the suggested travel itinerary (Figs. 8A-8D);

accepting manual confirmation of the suggested travel itinerary (Fig. 3A (377,380).

Jones does not disclose a method and system wherein the travel request input including travel request data gathered from a user's calendar or automatically creating and storing appointment events in the calendar application using data from the confirmed travel itinerary.

However, Tagawa teaches a method and system wherein the travel request input including travel request data gathered from a user's calendar (Figures 5A (304), 6A (356), 7A (432) and 9A (510 (page 3, lines 11-25 (*another aspect of the invention is based on the recognition that inviting the user to enter dates for travel-related services or products by means of a calendar is a particularly effective tool to assist the user in selecting the desired travel related services or product, the system of Tagawa is an interactive electronic travel system with two-way communication, col. 4, lines 9-14 – the user is only provided services or products available on the date or dates indicated in the calendar Figs. 12-13*) and automatically creating and storing appointment events in the calendar application using data from the confirmed travel itinerary (Figure 12 Daily Planner/Calendar –These are your scheduled attractions)

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It would have been obvious to one of ordinary skill at the time of the invention to include into the system and method of Jones the teachings of Tagawa since entering dates for travel related services and products by means of a calendar is a particularly effective tool to assist the user in selecting the desired travel related services and products.

Note: Tagawa is an interactive travel service system with a calendar. Calendar information is inherent in any reservation system. The system must know which days a person plans to travel and generally requires time preferences. In Tagawa, the user is provided a calendar to enter travel related information. In Figure 12, the information is returned to the user in the calendar (These are your scheduled attractions. Would you like another/). This could be interpreted to be the user's personal calendar.

7. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (US 2002/0156661) (hereinafter referred to as Jones) in view of Tagawa (5,732,398) (hereinafter referred to as Tagawa) and further in view of Gabos et al (US 2004/0162829) (hereinafter referred to as Gabos)

Referring to Claims 1-26:

Jones discloses a method and system for automatically planning, booking travel arrangements, comprising a data storage device (Figure 1 (112) and (140)), a booking engine (travel computer 120), an output device (Figure 1 (100, 106)) and a processor programmed to perform the method (Figure 1 (50)), comprising:

maintaining in computer storage device a database of user profile information including information regarding air travel booking preferences, car booking preferences, hotel booking preferences and personal preference air travel ratings (Figure 1 (112); [0039] a user's profile may be maintained in the memory 112 or an external storage system accessible by the travel computer 120 or the user computer 100 which includes travel preferences);

using the user profile information and the travel request data to automatically formulate a travel request in response to the travel request input, the travel request including airline, hotel and rental car reservation information ([0039] user inputs travel parameters to the presentation program 108 on the user computer 100, which travel parameters are sent to the travel system 114 on the travel computer 120 for processing a user's profile may be maintained in the memory 112 or an external storage system accessible by the travel computer 120 or the user computer 100 which includes travel preferences, such as preferred seats, airports, airlines, airplanes, modes of ground transportation such as rental cars, price, range, or a seat class. After inputting the various parameters, the system generates an itinerary);

automatically creating a travel query file by applying business rules to the travel request, including (Fig. 2A (210));

automatically executing an air booking process based on at least two categories of user preference information selected from the group of lowest price, arrival/departure time, airline, non-stop, duration, alternate airports and full fare automobile upgrades (Fig. 2A (200), page 2 [0039] thru page 3 [0047]),

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automatically executing a car booking process for selecting (Figs. 2A, 5A), and
automatically executing a hotel booking process (Figs. 2A, 4A),
submitting the query file to a booking engine for creating a travel request query (Figs.
2A, 3A);

submitting the travel request query to a travel distribution system for retrieving
air, car, and hotel availability information (pages 2-3 [0036-0047];

receiving from the travel distribution system the air, car and hotel availability
information and creating a suggested travel itinerary (Figs. 2A-5C, Fig. 7 (Figure 7);

allowing manual changes to be made to the suggested travel itinerary (Figs. 8A-
8D);

accepting manual confirmation of the suggested travel itinerary (Fig. 3A
(377,380).

Jones does not disclose a method and system wherein the travel request input
including travel request data gathered from a user's calendar or automatically creating
and storing appointment events in the calendar application using data from the
confirmed travel itinerary.

However, Tagawa teaches a method and system wherein the travel request input
including travel request data gathered from a user's calendar (Figures 5A (304), 6A
(356), 7A (432) and 9A (510) (page 3, lines 11-25 *(another aspect of the invention is
based on the recognition that inviting the user to enter dates for travel-related services
or products by means of a calendar is a particularly effective tool to assist the user in
selecting the desired travel related services or product, the system of Tagawa is an*

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interactive electronic travel system with two-way communication, col. 4, lines 9-14 – the user is only provided services or products available on the date or dates indicated in the calendar Figs. 12-13) and automatically creating and storing appointment events in the calendar application using data from the confirmed travel itinerary (Figure 12 Daily Planner/Calendar –These are your scheduled attractions)

It would have been obvious to one of ordinary skill at the time of the invention to include into the system and method of Jones the teachings of Tagawa since entering dates for travel related services and products by means of a calendar is a particularly effective tool to assist the user in selecting the desired travel related services and products.

Tagawa discloses a self service system for selling travel related services that utilizes kiosks that display a calendar interface for the user to input dates for various travel-related services (Figures 12-13). Tagawa does not disclose that the calendar interface is the user's personal calendar.

However, Gabos discloses a calendar application (Figures 11, 14, 15) operating on a remote computing platform [0059], the remote computing platform 104 which is a portable, palm, or hand-held computer Figure 1 (104), Figure 3 (104) [0029]) and a server application configured to process predetermined calendar events stored in an application database resident on the remote computing device, wherein the server computing system 106 is capable of communicating with the remote computing platform 104 and distributing or transferring information stored on the server database 108 to the remote computing platform 104 [0033] [0059] [0102-0103], [0111-0112] – flight

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numbers, arrival and departure times, hotel name, and car rental company name is automatically written into the calendar application on the hand-held computer; a form, such as a reservation request form can be provided. The form can be completed by the user on the remote computing platform and returned to the server computing system for further processing).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into the travel system of Jones the calendar application operating on a remote computing platform as taught in Gabos so as to generate and retrieve information for delivery to the user based upon the specific needs of the user and so the user can download a discrete set of information into a large database that is stored on the hand-held computer.

8. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (US 2002/0156661) (hereinafter referred to as Jones) of in view of Gabos et al (US 2004/0162829) (hereinafter referred to as Gabos).

Referring to Claims 1-26:

Jones discloses a method and system for automatically planning, booking travel arrangements, comprising a data storage device (Figure 1 (112) and (140)), a booking engine (travel computer 120), an output device (Figure 1 (100, 106) and a processor programmed to perform the method (Figure 1 (50)), comprising:

maintaining in computer storage device a database of user profile information including in information regarding air travel booking preferences, car booking

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preferences, hotel booking preferences and personal preference air travel ratings (Figure 1 (112); [0039] a user's profile may be maintained in the memory 112 or an external storage system accessible by the travel computer 120 or the user computer 100 which includes travel preferences);

using the user profile information and the travel request data to automatically formulate a travel request in response to the travel request input, the travel request including airline, hotel and rental car reservation information ([0039] user inputs travel parameters to the presentation program 108 on the user computer 100, which travel parameters are sent to the travel system 114 on the travel computer 120 for processing a user's profile may be maintained in the memory 112 or an external storage system accessible by the travel computer 120 or the user computer 100 which includes travel preferences, such as preferred seats, airports, airlines, airplanes, modes of ground transportation such as rental cars, price, range, or a seat class. After inputting the various parameters, the system generates and itinerary);

automatically creating a travel query file by applying business rules to the travel request, including (Fig. 2A (210));

automatically executing an air booking process based on at least two categories of user preference information selected from the group of lowest price, arrival/departure time, airline, non-stop, duration, alternate airports and full fare automobile upgrades (Fig. 2A (200), page 2 [0039] thru page 3 [0047]),

automatically executing a car booking process for selecting (Figs. 2A, 5A), and
automatically executing a hotel booking process (Figs. 2A, 4A),

submitting the query file to a booking engine for creating a travel request query (Figs. 2A, 3A);

submitting the travel request query to a travel distribution system for retrieving air, car, and hotel availability information (pages 2-3 [0036-0047];

receiving from the travel distribution system the air, car and hotel availability information and creating a suggested travel itinerary (Figs. 2A-5C, Fig. 7 (Figure 7);

allowing manual changes to be made to the suggested travel itinerary (Figs. 8A-8D);

accepting manual confirmation of the suggested travel itinerary (Fig. 3A (377,380).

Jones does not disclose a method and system wherein the travel request input including travel request data gathered from a user's calendar or automatically creating and storing appointment events in the calendar application using data from the confirmed travel itinerary.

However, Gabos discloses a calendar application (Figures 11, 14, 15) operating on a remote computing platform [0059], the remote computing platform 104 which is a portable, palm, or hand-held computer Figure 1 (104), Figure 3 (104) [0029]) and a server application configured to process predetermined calendar events stored in an application database resident on the remote computing device, wherein the server computing system 106 is capable of communicating with the remote computing platform 104 and distributing or transferring information stored on the server database 108 to the remote computing platform 104 [0033] [0059] [0102-0103], [0111-0112] – flight

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numbers, arrival and departure times, hotel name, and car rental company name is automatically written into the calendar application on the hand-held computer; a form, such as a reservation request form can be provided. The form can be completed by the user on the remote computing platform and returned to the server computing system for further processing).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into the travel system of Jones the calendar application operating on a remote computing platform as taught in Gabos so as to generate and retrieve information for delivery to the user based upon the specific needs of the user and so the user can download a discrete set of information into a large database that is stored on the hand-held computer.

Response to Arguments

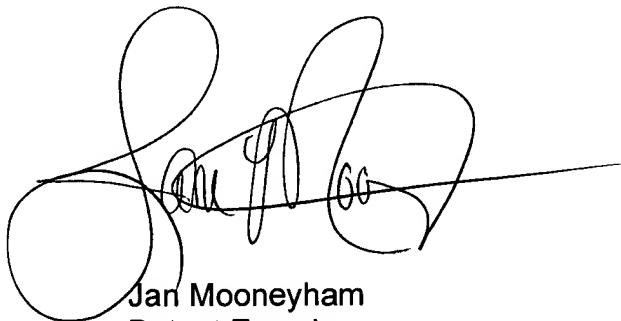
Applicant's arguments with respect to claim 1-26 have been considered but are moot in view of the new ground(s) of rejection. The applicant amended the claims to include the limitation that the calendar is the user's personal calendar and argued this limitation. The Examiner has provided a new ground for rejection as to this limitation.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janice A. Mooneyham whose telephone number is (571) 272-6805. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Jan Mooneyham', is written over a horizontal line.

Jan Mooneyham
Patent Examiner
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